

LEE COUNTY

NORTH CAROLINA

Committed Today for a Better Tomorrow

REGULAR MEETING
OF THE
LEE COUNTY BOARD OF COMMISSIONERS
106 HILLCREST DRIVE
SANFORD, NORTH CAROLINA 27330

OCTOBER 20, 2014

The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 6 p.m. in the Commissioners' Room, First Floor, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present were Amy M. Dalrymple, Dr. Ricky D. Frazier, Dr. Andre Knecht, Charles T. Parks, Robert T. Reives, Kirk D. Smith, and James K. Womack.

Chairman Parks called the meeting to order and the following business was transacted:

Commissioner Knecht delivered the invocation.

The pledge of allegiance was recited.

The Board considered changes/additions to the Agenda. Commissioner Smith asked that the Board consider a Resolution to Amend Concealed Handguns in the North Legislative Building. Chairman Parks stated one of the New Business items would be moved to Old Business. With no other changes made, Commissioner Womack moved to approve the Agenda as amended. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Smith moved to approve the *Consent Agenda* which consisted of the following items:

- Minutes from the October 6, 2014 regular meeting,
- Minutes from the October 8, 2014 joint City-County Interlocal Committee meeting,
- Tax Releases and Refunds for September 2014 (copy attached), and
- Appointment of Mr. James W. Payne to the Triangle J Advisory Council on Aging.

Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Pursuant to N.C. General Statute §153A-52.1, Chairman Parks opened the floor for *Public Comments*. The following signed up to speak and were allowed 3 minutes for comments:

1. Rev. Nancy Bouchard, 306 Cricket Hearth, Sanford (personal attack by Commissioner Smith in "Letters to the Editor")

At this time the Board conducted a public hearing for the FY 2016 Community Transportation Program Grant Application, and Elderly and Disabled Transportation Assistance Program. Senior Services Director Debbie Davidson outlined the grant application for the Community Transportation Program Grant which includes the following:

Administrative - \$155,558.00 – Local 15% match of \$23,635.00

These funds cover 85% of the salary for the County of Lee Transit System Coordinator, and a portion of the administrative salaries and benefits of three other staff members, travel, general office supplies, space rental, technology supplies, and indirect cost for the administration of the system. Also included in this request is 85% reimbursement for vehicle insurance on 18 vehicles.

Capital - \$77,440.00 – Local 10% match of \$7,744.00 for replacement of one high top conversion vehicle, and furnishings and security equipment for the new COLTS facility located on Hillcrest Drive.

The public hearing for the submission of a grant application under the 5310 Elderly and Disabled Transportation Program under the Federal Transit Administration to improve and enhance transportation services to elderly and disabled citizens was also conducted. Ms. Davidson stated this proposal is to continue to offer the circular route called DASH with scheduled stops to local apartment complexes with connection to area retail, medical and educational facilities. The goal of this route is to provide additional mobility options and affordable transportation for Elderly and Disabled Lee County residents. The application will be submitted to the North Carolina Department of Transportation for consideration and submission to the Federal Transit Administration for final approval. This is a competitive process for a one-year grant cycle from July 1, 2015 through June 30, 2016.

Ms. Davidson submitted the following request of funding levels:

Operating Expenses - \$44,185.00 with a 50% local match of \$22,093.00. Funds through the Home and Community Care Block Grant allocated through the Senior Services Department, other contract revenue and the \$2.00 per trip fare rate charged to passengers will be used to cover local matching requirements; therefore, no additional funding from the County will be required. These funds will cover salary for 2 part-time drivers, 25% Administrative salary and vehicle operation expenses for 1 year.

Chairman Parks opened the public hearings that had been advertised for this date and time.

The following spoke in favor of both application grants:

1. Debbie Davidson, Senior Services Director (for anything pertaining to public transportation)

No one present spoke in opposition to the application grants.

Chairman Parks closed the public hearing.

The Board considered the FY 2014-15 Rural Operating Assistance Grant. Senior Services Director Debbie Davidson stated a public hearing on this matter had been held during the October 6, 2014 regular meeting of the Board of Commissioners. The following funding levels have been allocated to Lee County for said grant:

Elderly and Disabled Transportation Assistance - \$60,228.00 with no local match required. These funds assist clients of Lee County Senior Services, Lee County Industries, and The Center for Independent Living, dialysis patients, and elderly or disabled Lee County residents with needed transportation services.

Employment Funds - \$16,421.00 with no local match required. These funds assist Department of Social Services Work First clients, Workforce Development programs or other citizens in need of employment transportation.

Rural General Public - \$68,342.00 with a 10% minimum local match (fare charged to passengers). These funds will be used to transport the general public for various transit needs on a space available and location basis.

Total grant application is in the amount of \$147,991.00.

Commissioner Reives moved to approve the *FY 2014-15 Rural Operating Assistance Grant* as presented. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered the FY 2014-15 Senior Center General Purpose Funding Application that had been moved from New Business at the beginning of the meeting. Senior Services Director Debbie Davidson asked the Board to approve the application that includes a total of \$11,680.00 allocated to Lee County. These funds were allocated based on the Center of Excellence Certification for Senior Centers in North Carolina. The 25% local match requirement of \$3,893 is available in the current Senior Services budget; therefore, no additional funds are required. After discussion, Commissioner Reives moved to approve the *FY 2014-15 Senior Center General Purpose Funding Application* as presented, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a Resolution for Unaccompanied Minor Undocumented Children. Social Services Director Brenda Potts refreshed the Board on this matter from the October 4th meeting at which time the Board endorsed a Resolution by the Social Services Board in reference to illegal immigration of undocumented children. At that meeting Ms. Potts was asked to draft a Resolution addressing the legal significance of immigrants and specific concerns that have been identified as a source for the unaccompanied illegal children entering the United States. She was also asked to

contact the schools to see how many, if any, undocumented children are currently in the Lee County system. County Manager John Crumpton stated he had discussed this matter with School Superintendent Andy Bryan and was told the schools do not keep records of these children. Lee County Public Health Nurse Supervisor Pam Ridenhour told the Board the Health Department has treated between 40-50 undocumented children over the past few month for their second series of immunization (health screening) before entering school. Most of the children immunized have arrived from the Chicago area. After discussion, Commissioner Womack moved to ask the Board of Education and School Superintendent to d-identify children that are being schooled in the pre K-12 system, including gender, age, and country of origin. After further discussion, Commissioner Womack amended his motion to include that a committee be formed by the Lee County schools to include Social Services and the Health Department to work on this issue. Upon a vote of the amended motion, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Smith moved to approve the Resolution presented by Ms. Potts for *Unaccompanied Minor Undocumented Children*, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board discussed the Fort Bragg Regional Alliance which Lee County rejoined in July 2014 in the amount of \$20,500.00. In a recent *Sanford Herald* article it was stated that only 4 of the original 11 counties are still members of the Alliance. Commissioner Reives had asked at the October 4th meeting for this item to be placed on the Agenda for the October 20th meeting. County Manager John Crumpton stated he had recently be working with the Alliance concerning the next round of base realignment for BRAC. Commissioner Dalrymple asked for specific plans from the Alliance and not just generality. Commissioner Smith stated he had a BRAC Board meeting later in the week and would get answers to questions. Commissioner Womack also stated he would be meeting with individuals later in the week and would find out what the proposal will be for the next base realignment. Commissioner Reives stated BRAC should come under the same budget process as other "non-profits" during the budget cycle. No action was taken.

IT Director Kyle Edwards gave an update and power-point presentation on the completion of the new 911 Center located in the basement of the Lee County Courthouse. It was stated the project should be completed by mid-January 2015. It was also noted that many of the issues involved with completion of the project has been due to vendor issues. No action was taken.

The Board considered Lee County post-65 retiree health insurance renewal for FY 2015. Human Resource Director Joyce McGehee proposed the current post-65 retiree health insurance benefit vendor remain the same for the upcoming year. The Aetna plan is a Medicare advantage plan that works in addendum with Medicare Part A and Part B for retirees who have attained the age of 65. To qualify, the retiree must have been hired prior to March 1, 2010, and have attained 20 years in the Retirement System, with the last 15 years consecutively working in Lee County Government. Currently there are 60 post-65 retirees on the plan. The cost for FY 2015 will increase from \$228.20 per month

per retiree to \$247.60, at an annual cost of \$2,971.20 per employee. The overall costs increase is 8.5% annually. After discussion, Commissioner Smith moved to approve the *Lee County Post-65 Retiree Health Insurance Plan Renewal* and authorize the Chairman to sign required documents. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered flu vaccine fees for the Health Department. Nursing Supervisor Pam Ridenhour (in the Health Director's absence) stated the Board of Health, at their October 8, 2014 meeting, approved new flu vaccine fees for non-insured self-pay clients. The cost for the flu vaccine was determined based on the mean rate from 5 local pharmacies. Flu vaccines for minors (less than age 14) are not offered by local pharmacies. The Board was asked to approve the rate of \$30.00 for the flu vaccine. After discussion, Commissioner Dalrymple moved to approve the rate of \$30.00 for flu vaccines for non-insured self-pay clients as presented. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a request from Phoenix Fire Protection for forgiveness of late tax list penalty. Tax Administrator Mary Yow stated Phoenix Fire Protection had requested abatement of late tax list penalty on the 2014 Business Personal Property Taxes. A request for extension was requested and granted until March 17, 2014. The return was postmarked April 2, 2014 and received in the Tax Office on April 3, 2014. North Carolina General Statute §105-312(h) requires a 10% penalty for listings received late, however North Carolina General Statute §105-312 (k) gives the power to compromise to the board of county commissioners. Phoenix Fire Protection has not filed late during the previous five years. The total amount of penalty for the County and City is \$62.13. The County penalty is \$33.89. After discussion, Commissioner Dalrymple moved to reduce the abatement of late tax list penalty for Phoenix Fire Protection by 50% (County's portion). Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered an Assignment of Foreclosure Sale Bid. County Attorney Kerry Schmid stated at the September 12, 2014 tax foreclosure sale, Lee County was the high bidder for property located at 8404 Pilson Road in the amount of \$1,833.44. After the sale, Mr. Clyde Patterson contacted the County and asked to have the County's bid assigned to him. North Carolina General Statute §105-376 (a) gives the county authority to assign its bid for not less than the amount of the bid. The Board was asked to approve an Assignment of Bid to Clyde Patterson for property located at 8404 Pilson Road. Commissioner Womack moved to approve the *Assignment of Bid* as presented, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a Resolution requesting the North Carolina Department of Transportation (DOT) to conduct a traffic/speed study in the Lee County Industrial Park. County Manager John Crumpton stated the recent completion of Clyde Rhyne Road has caused major safety concerns for tenants in the Lee County Industrial Park. Unless otherwise posted, the speed limit on roads outside municipalities is 55 miles per hour. This means the speed limit for the new section of Clyde Rhyne Road is 55 miles an hour from the Colon Road intersection to the Womack Road intersection. Challenge Printing and the Central Carolina Community College Telecommunications Center have already had issues accessing their facilities along the new section of road. DOT rules requires a study to be conducted before the speed can be lowered. Mr. Crumpton asked the Board to approve said Resolution requesting DOT complete a traffic/speed study in the Lee County Industrial Park. After discussion, Commissioner Knecht moved to approve a *Resolution Requesting the North Carolina Department of Transportation Conduct a Traffic/Speed Study in the Lee County Industrial Park*, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a Resolution lifting federal restrictions on concealed handgun permit holders on federal property. Commissioner Smith requested this matter be discussed as a result of the concealed handgun ordinance adopted at the October 6th meeting. The Resolution stated the Lee County Board of Commissioners petition and call upon North Carolina's Congressional Delegation, its Governor and General Assembly to take all lawful steps necessary to remove the restrictions on law-abiding concealed handgun permit holders on Federal Property (with the exception of Federal Courts and prisons) within North Carolina and throughout the United States. Commissioner Smith moved to approve a *Resolution to Lift Restriction on Law-Abiding Concealed Handgun Permit Holders on Federal Military Facilities and Federal Offices*, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Knecht, Parks, Smith, and Womack
Nay: Dalrymple, Frazier, and Reives

The Chairman ruled the motion had been adopted by a 4 to 3 vote.

The Board considered a *Resolution to Amend State Statutes Restricting Concealed Handgun Permit Holders in the North Carolina Legislative Building and the Legislative Office Building* that had been added to the Agenda at the beginning of the meeting. Commissioner Smith moved to approve said Resolution, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Knecht, Parks, Smith, and Womack
Nay: Dalrymple, Frazier, and Reives

The Chairman ruled the motion had been adopted by a 4 to 3 vote.

Finance Director Lisa Minter presented the *Monthly Financial Report* for September 2014. No action was taken.

County Manager John Crumpton presented his Monthly Report for October 20, 2014, a copy of which is attached and by this reference made a part hereof. No action was taken.

With no further business to come before the Board, Commissioner Reives moved to adjourn the meeting. Upon a vote, the results were as follows:

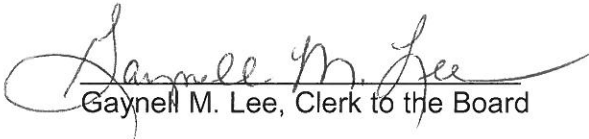
Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack

Nay: None

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned at 7:55 p.m.


Charles T. Parks, Chairman
Lee County Board of Commissioners

ATTEST:


Gaynell M. Lee, Clerk to the Board